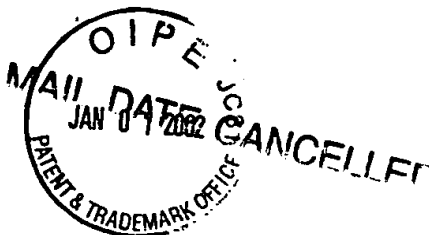


003498.P02



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Rajugopal R. Gubbi)
Serial No. 09/293,492)
Filing Date: April 15, 1999)
For: PROTOCOL EXTENSION SCHEME FOR)
WIRELESS COMPUTER NETWORKS)

Examiner: Patel, A.

Art Unit: 2662

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Box A.F.
Commissioner for Patents
Washington, D.C. 20231

RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE – ART UNIT 2662

Sir:

In response to the Office Action of July 26, 2001, reconsideration of this application is respectfully requested. The rejection of the present claims under 35 U.S.C. §102(b) and §103(a) reflects a basic misunderstanding of the claim language and the header description taught by Yoshida, U.S. Patent No. 5,570,365 et al. ("Yoshida '365"). Because Yoshida '365 fails to teach or suggest the features found in the present claims, all of the present claims are patentable over Yoshida '365 and the present rejections are, therefore, respectfully traversed.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, Washington, D. C. 20231 on

October 23, 2001

(Date of Deposit)

Geneva Walls

(Typed or printed name of person mailing correspondence)

(Signature of person mailing correspondence)

003498.P028

35 U.S.C. §102(b)

With respect to claim 1, Yoshida '365 fails to teach or suggest a packet header for use in information packets transmitted within a computer network comprising a protocol extension field that indicates changes of field values and/or lengths within the header. Yoshida '365 merely describes packets which are made up of a MAC header 20, an IP header 21, and a TCP header 22 as explained at col. 3, ll. 26-50. Importantly, nowhere does Yoshida '365 indicate or even suggest that these fields are anything but conventional in nature. For example, nowhere does Yoshida '365 suggest that any of these headers includes a field which may be used to indicate changes to field values and/or field lengths within the header. That is, all of the fields in each of the headers has a fixed size and/or fixed value (i.e., designating the type of information conveyed within that field). There is nothing which teaches or suggests anything to the contrary.

In contrast, claim 1 discloses a packet header for use in information packets transmitted within a computer network comprising a protocol extension field that indicates changes of field values and/or lengths within the header.

Therefore, claim 1 is patentable under 35 U.S.C. §102(b) over Yoshida '365.

With respect to claim 6, Yoshida '365 fails to teach or suggest a communication protocol for a computer network comprising packets having headers configured to include an indication of whether or not field values and/or lengths thereof have been altered from a preestablished norm. Yoshida '365 does not teach or suggest a communication protocol which may be used to indicate changes to field values and/or fixed value (i.e., designating the type of information conveyed within that field). In contrast, claim 6 recites a header which includes a protocol extension field that indicates changes of field values and/or lengths within the header. Therefore, claim 6 is patentable

under 35 U.S.C. §102(b) over Yoshida '365. Because claim 6 is allowable, applicants respectfully submit that dependent claim 7 is also allowable under 35 U.S.C. §102(b) over Yoshida '365.

With regards to claim 8, a method comprising indicating to components of a computer network whether field lengths and/or values of packet headers associated with communication packets transmitted between the components of the network have been altered using protocol extension bits included within the headers is disclosed. In contrast, as explained above, Yoshida '365 does not teach or suggest a header field which may be used to indicate changes to field values and/or fixed value (i.e., designating the type of information conveyed within that field). Therefore, claim 8 is patentable over Yoshida '365 under 35 U.S.C. §102(b).

35 U.S.C. §103(a)

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). In the present case, there has been no showing of such motivation.

Yoshida '365 fails to teach or suggest claims 2-5 as they depend from claim 1. Yoshida '365 merely describes packets which are made up of a MAC header 20, an IP header 21, and a TCP header 22. The total description of the various fields in these headers is provided at col. 2, ll. 26-50. Indeed, nowhere does Yoshida '365 indicate or even suggest that these fields are anything but conventional in nature. Therefore, claims 2-5 are patentable under 35 U.S.C. §103(a) over Yoshida '365.

Yoshida '365 fails to teach or suggest claims 9-13 as they depend from claim 8.

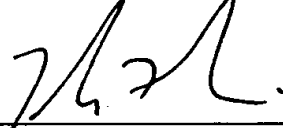
As explained above, Yoshida '365 merely describes packets which are made up of a MAC header 20, an IP header 21, and a TCP header 22. Therefore, claims 9-13 are patentable under 35 U.S.C. §103(a) over Yoshida '365.

For at least the above reasons, the present claims should be deemed allowable over the cited art of record. A notice of appeal is enclosed herewith. If there are any additional charges associated with this communication, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date 10/23, 2001



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